

**CITY OF BEDFORD HEIGHTS REGULAR COUNCIL**

**APRIL 1**

**2008**

The City of Bedford Heights Council meeting was held at City Hall, 5661 Perkins Road on April 1, 2008. Mayor Berger called the meeting to order at 7:45 P.M.

All Present pledged Allegiance to the flag.

Roll Call:	Mayor Berger	Councilwoman Grant
	Councilman Brown	Councilwoman MacKenzie
	Councilman Cody	Councilman Tinker
	Councilwoman Gilliam	Council President Saunders

Absent: None

Also Present:	Fin. Dir. Cegelka	W/R Dir. Pocaro
	Law Dir. Cirincione	P/S Dir. Bauccho
	Chief Ledford	Comm. Life Dir. Gray
	Chief Kalavsky	Bldg. Comm. Konys
	City Engineer Bierut	Clerk of Council Stahl

**CONSIDERATION OF MINUTES OF PREVIOUS MEETINGS NOT YET APPROVED:**

Mayor Berger noted that the minutes will be addressed at the next meeting.

Mayor Berger announced that we have a guest this evening, Ms. Chaplain from Kent State University, who has requested a few minutes to make a presentation to Council. Ms. Lydia Chaplain, Chagrin Falls, Ohio, said she is a member of the Advisory Board of Kent State University which focuses mainly on the campus of Geauga County and Twinsburg which are under one Dean. She thanked Mayor Berger and Council for allowing her to talk briefly about the campus in Twinsburg. She noted that the Kent State campus in Twinsburg is located near Rt. 91 and Rt. 82. She said about 15 years ago Chrysler had a stamping plant in Twinsburg and asked Kent State if they could have some educational courses presented in the school building. She said it has since grown to 500 students and has a very positive impact on the area. She said it is the largest growing campus of all of Kent State satellite campuses as of today. She noted that it has both the traditional and non-traditional student. She said the traditional student is one coming out of high school, the non-traditional student is one who after graduating from high school works two or three years then realize that they need additional college courses or other educational experience and they go back to school while working. She said that Kent State Twinsburg offers morning, afternoon, evening classes and Saturday classes to fill all of the needs that some of the students might have. She said that the average class size is 13 students, has free parking and is diversified. She invited everyone April 7, 2008 at 7:15 P.M. for an Open House at the campus. She distributed brochures for everyone in the audience.

**CONSENT AGENDA:**

RESOLUTION NO. 2008-075

Introduced by: Mayor Berger and Council Members Saunders, Brown, Cody, Gilliam, Grant, MacKenzie, Tinker

A RESOLUTION COMMENDING COLUMBUS INTERMEDIATE SCHOOL STUDENTS NICHOLAS CLARK, ANDRIANA MITCHELL, CLIFFORD (C.J.) PLEASANT, TAYLOR TRENT, JACKOLYN REVIER AND TYLER STADDEN FOR WINNING THE “YES I CAN” AWARD FROM THE COUNCIL FOR EXCEPTIONAL CHILDREN.

MOTION by MacKenzie, second Gilliam that the rule requiring two readings be waived pursuant to Section 6.06 of the Charter and all items on the Consent Agenda be adopted as presented.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders

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Nays - None  
7 yeas - 0 nays  
Motion carried

CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

RESOLUTION NO. 2008-066  
Introduced by: Mayor Berger and Council Members Saunders, Brown, Cody, Gilliam, Grant, MacKenzie, Tinker

A RESOLUTION RESCINDING AN ENTERPRISE ZONE AGREEMENT WITH AMERICAN SPRING WIRE, AND DECLARING AN EMERGENCY.

MOTION by Tinker, second Grant to suspend the rule requiring two readings.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None  
7 yeas - 0 nays  
Motion carried

MOTION by Tinker, second Grant to adopt.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None  
7 yeas - 0 nays  
Motion carried

RESOLUTION NO. 2008-067  
Introduced by: Mayor Berger and Council Members Saunders, Brown, Cody, Gilliam, Grant, MacKenzie, Tinker

A RESOLUTION RESCINDING A JOB CREATION GRANT AGREEMENT WITH FORMTEK/YODER, AND DECLARING AN EMERGENCY.

MOTION by Grant, second Tinker to suspend the rule requiring two readings.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None  
7 yeas - 0 nays  
Motion carried

MOTION by Grant, second Tinker to adopt.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None  
7 yeas - 0 nays  
Motion carried

RESOLUTION NO. 2008-068  
Introduced by: Mayor Berger and Council Members Saunders, Brown, Cody, Gilliam, Grant, MacKenzie, Tinker

A RESOLUTION RESCINDING AN ENTERPRISE ZONE AGREEMENT WITH STONEWORKS, LTD., AND DECLARING AN EMERGENCY.

MOTION by Tinker, second Grant to suspend the rule requiring two readings.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None  
7 yeas - 0 nays  
Motion carried

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MOTION by Tinker, second Grant to adopt.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None 7 yeas - 0 nays  
Motion carried

Mayor Berger explained that when we give certain concessions to businesses we have expectations that they will do such things as add a certain number of jobs. He said if they are not in compliance, we will rescind their agreement. He said in some cases, the business will come back to us and request that we rescind some of the concessions that we have provided realizing that it is something they cannot comply with. He said we had a meeting during which time we talked to each one of these businesses prior to this meeting. He said our voting looks simple, but we have done great due diligence prior to this.

RESOLUTION NO. 2008-069

Introduced by: Mayor Berger and Council Members Saunders, Brown, Cody, Gilliam, Grant, MacKenzie, Tinker

A RESOLUTION PROVIDING FOR CITY ARCHITECT SERVICES FOR THE CITY OF BEDFORD HEIGHTS, OHIO AND DECLARING AN EMERGENCY.

MOTION by Cody, second Grant to suspend the rule requiring two readings.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None 7 yeas - 0 nays  
Motion carried

MOTION by Cody, second Grant to adopt.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None 7 yeas - 0 nays  
Motion carried

RESOLUTION NO. 2008-070

Introduced by: Mayor Berger and Council Members Saunders, Brown, Cody, Gilliam, Grant, MacKenzie, Tinker

A RESOLUTION CONFIRMING THE APPOINTMENT OF CITY ARCHITECT ROBERT MADISON AS ARCHITECT MEMBER OF THE BOARD OF ARCHITECTURAL REVIEW FOR THE REMAINING PERIOD OF THE TWO-YEAR TERM THAT BEGAN ON JANUARY 1, 2008.

MOTION by Cody, second Grant to suspend the rule requiring two readings.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None 7 yeas - 0 nays  
Motion carried

MOTION by Cody, second Grant to adopt.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None 7 yeas - 0 nays  
Motion carried

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Council President Saunders commented that Council is looking forward to meeting Mr. Madison and hopefully during our next Council meeting Mayor Berger can have him come in during the Committee of the Whole, we would appreciate that. He said he is sure that he will be an outstanding person and he enjoys having that move made by Mayor Berger of the City of Bedford Heights and is looking forward to working with this individual.

**ORDINANCE NO. 2008-071**

Introduced by: Mayor Berger and Council Members Saunders, Brown, Cody, Gilliam, Grant, MacKenzie, Tinker

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR RENEWAL OF THE ADULT BASIC LITERACY EDUCATION PROGRAM, AND DECLARING AN EMERGENCY.**

Mayor Berger said that state law requires that we provide basic education for our Corrections Facility and that is what this Ordinance will allow us to do.

MOTION by Gilliam, second Grant to suspend the rule requiring two readings.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None 7 yeas - 0 nays  
Motion carried

MOTION by Gilliam, second Grant to adopt.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None 7 yeas - 0 nays  
Motion carried

**ORDINANCE NO. 2008-072**

Introduced by: Mayor Berger and Council Members Saunders, Brown, Cody, Gilliam, Grant, MacKenzie, Tinker

**AN ORDINANCE AMENDING SUBSECTIONS (a) AND (h) OF SECTION 953.05 OF THE CODIFIED ORDINANCES REGARDING MUNICIPAL BUILDING AND COMMUNITY CENTER FEES FOR USE AND RENTALS, AND DECLARING AN EMERGENCY.**

MOTION by MacKenzie, second Tinker to suspend the rule requiring two readings.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None 7 yeas - 0 nays  
Motion carried

MOTION by MacKenzie, second Tinker to adopt.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None 7 yeas - 0 nays  
Motion carried

**ORDINANCE NO. 2008-073**

Introduced by: Mayor Berger and Council Members Saunders, Brown, Cody, Gilliam, Grant, MacKenzie, Tinker

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AN ORDINANCE SUPPLEMENTING THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD HEIGHTS WITH A NEW SECTION 141.12 OF BHCO CHAPTER 141 TO CREATE A PLAY COMMISSION, AND DECLARING AN EMERGENCY.

MOTION by MacKenzie, second Gilliam to suspend the rule requiring two readings.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None 7 yeas - 0 nays  
Motion carried

MOTION by MacKenzie, second Gilliam to adopt.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None 7 yeas - 0 nays  
Motion carried

RESOLUTION NO. 2008-074

Introduced by: Mayor Berger and Council Members Saunders, Brown, Cody, Gilliam, Grant, MacKenzie, Tinker

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO PATROLMAN'S BENEVOLENT ASSOCIATION ON BEHALF OF FULL-TIME CORRECTIONS OFFICERS/OFFICERS IN CHARGE FOR THE PERIOD OF JANUARY 1, 2008 THROUGH DECEMBER 31, 2010, AND DECLARING AN EMERGENCY.

MOTION by Brown, second Gilliam to suspend the rule requiring two readings.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None 7 yeas - 0 nays  
Motion carried

MOTION by Brown, second Gilliam to adopt.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None 7 yeas - 0 nays  
Motion carried

**REPORTS OF OFFICERS, BOARDS, COMMISSIONS AND COMMITTEES:**

**MAYOR'S REPORT, Mayor Berger:** Mayor Berger said we have information available to anyone who has interest in the Kent State presentation. He also noted that the Cuyahoga County Commissioners are providing Free Tax Preparation for anyone with income below \$39,000.00. He said the closest location for that is at 5398 Northfield Road. He said he has a few fliers with more details concerning that. Mayor Berger announced that we have Innovative Container that have expanded into Northeastern Ohio and currently have 15 employees on Corbin Drive. He said that they are anticipating increasing that to 30 employees and said a press release will be in the newspaper.

Mayor Berger said some of you have heard us vote on the Cuyahoga County Board of Health contract. He said they provide us with community health services and also put out information that talks about the number of items that they serve our community with. He noted that he has that information if someone is interested in seeing it. Mayor Berger said that the Cuyahoga County Bicentennial Year is at hand and they will be doing a number of things throughout the communities such as tree planting programs, and there will be an opening day ceremony that will take place at the County Fair on August 4<sup>th</sup>. He said they will also be coming out to various communities summer

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events and will bring the cake. He said there is a banner that we will hang at the Community Center with photographs of cities throughout the County including Bedford Heights.

Mayor Berger said some of you may be familiar with the 2-1-1 foreclosure program to assist residents. He said we are going through a lot of foreclosure situations not only in our community but throughout the county. He said one of the shortest ways to get to the information that is available is to simply dial 2-1-1. You will reach a live voice and they will talk to you and point you in the proper direction.

**SAFETY COMMITTEE, Chairman Brown:** Chairman Brown reported that the Safety Committee has scheduled its next meeting for emergency preparedness on April 29<sup>th</sup> at 6:00 P.M.

**FINANCE COMMITTEE, Chairman Saunders:** Chairman Saunders thanked the Finance Committee, all of Council and the Mayor of the City of Bedford Heights for bringing forth the new 2008 budget. He said a lot of work was put into it, a lot of time and effort by the Finance Committee and by the outstanding Finance Director Mark Cegelka and the Assistant Finance Director Allison Chance.

**COMMUNITY LIFE COMMITTEE, Chairwoman MacKenzie:** Chairwoman MacKenzie reported that the committee met last week and two ordinances 072 and 073 were discussed at the meeting. Minutes from this meeting to follow. There will be a youth mentoring meeting on April 2 at 6:30 P.M. and April 16<sup>th</sup>. The Community Life Committee meeting will be April 9<sup>th</sup> at 6:00 P.M.

**PUBLIC SERVICE/WATER RECLAMATION COMMITTEE, Chairwoman Grant:** Chairwoman Grant said that branch chipping will begin April 14<sup>th</sup> on the north side, and on the south side April 15<sup>th</sup> through October. She said there is a computer roundup from April 1<sup>st</sup> - April 30<sup>th</sup>.

**PLANNING COMMISSION, Chairman Berger:** Chairman Berger reported that the Planning Commission meeting is scheduled for April 8, 2008 at 5:00 P.M. in the Caucus Room.

**BUILDING & HOUSING COMMITTEE, Chairwoman MacKenzie:** No Report.

**INFRASTRUCTURE & CAPITAL IMPROVEMENTS COMMITTEE, Chairman Cody:** Chairman Cody said that we are waiting for Cleveland Water to come to a decision so we can move forward on Sunset Drive waterline.

**LEGISLATIVE/EDUCATION COMMITTEE, Chairwoman Gilliam:** Chairwoman Gilliam reported that the committee will meet on Thursday, April 17<sup>th</sup> at 6:00 P.M.

**ECONOMIC & COMMUNITY DEVELOPMENT COMMITTEE, Chairman Tinker:** No Report.

**CABLE TELEVISION COMMITTEE, Chairman Brown:** Chairman Brown announced that our next Cable T.V. Advisory Committee will be on April 22<sup>nd</sup> at 7:00 P.M.

**COMMITTEE OF THE WHOLE, Council President Saunders:** Council President Saunders reported that a Pre-Committee of the Whole was held at 6:00 P.M. regarding a resident appeal to Council. The Committee of the Whole began at 6:30 P.M. and will reconvene following this Council meeting for post-Committee of the Whole. Our next Council meeting will be held April 15, 2008 with Committee of the Whole beginning at 6:30 P.M. and Council meeting starting at 7:30 P.M. He announced birthdays, April 6<sup>th</sup> Allison Chance; April 7<sup>th</sup> Linda Borzy; April 13<sup>th</sup> Alton Tinker; April 18<sup>th</sup> Kay Gary; April 20<sup>th</sup> Joe Barber; April 26<sup>th</sup> Renee Cole.

### **UNFINISHED BUSINESS:**

No Report.

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**NEW BUSINESS:**

No Report.

**MISCELLANEOUS:**

Councilman Brown commented that when you see Council laughing and joking, we are serious about the work that we do but since we have worked with each other for so long we know that we can joke with each other and have lighter moments. He said we are not only city officials, but we are very human as well. He said in light of what we do here, we do it in a light and spirit that everyone would understand and appreciate that though it is serious, it is not that serious that we cannot relate to each other, have a common bond and have common respect and truly like each other.

Councilwoman Grant reminded everyone that the Bedford Schools Foundation Race and Pancake Breakfast is April 20<sup>th</sup>. She said it is a group that develops scholarship funds for Bedford School students that want to attend college.

Mayor Berger acknowledged that our First Lady Melva Berger is in the audience this evening.

**INTRODUCTION OF DELEGATIONS OR CITIZENS WISHING TO APPEAR BEFORE COUNCIL:**

Everett Pennyman, 25040 Randolph Road, commented that his daughter is attending Kent State and is an “A” student in her fourth year and came out of the Bedford School System, so it works here.

**ADJOURNMENT:**

MOTION by Grant, second Tinker to adjourn the Council meeting at 8:20 P.M.

Roll Call:	Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders	
	Nays - None	7 yeas - 0 nays
		Motion carried